

**LOWER MAINLAND TREATY ADVISORY COMMITTEE
EXECUTIVE COMMITTEE
REGULAR MEETING**

February 18, 2009

Minutes of the Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Executive Committee** scheduled 3:00 – 4:10 p.m. on Wednesday, February 18, 2009, in the 5th Floor Meeting Room, 4330 Kingsway Burnaby, B.C.

ATTENDANCE:		
JURISDICTION:	ELECTED REPRESENTATIVES TO LMTAC :	STAFF REPRESENTATIVES TO LMTAC:
Greater Vancouver RD	Mayor Ralph Drew (Chair)	Marino Piombini
Delta, Corporation of	Councillor Anne Peterson	
Langley, Township of	Councillor Mel Kositsky	
North Vancouver, District of	Councillor Alan Nixon (arrived 3:19 p.m.)	
Squamish, District of	Councillor Corinne Lonsdale	
Squamish Lillooet RD	Director Jordan Sturdy	
White Rock, City of	Councillor James Coleridge	
LMTAC STAFF ATTENDANCE:		
Regan Schlecker	Managing Director	
Mark Kirsop	Policy Analyst	
PREPARATION OF MINUTES:		
Carrie Peacock	Recording Secretary, Raincoast Ventures Ltd.	

CALL TO ORDER

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 3:18 p.m.

1. AGENDA FOR ADOPTION

1.1 February 18, 2009

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Executive Committee scheduled February 18, 2009 be adopted with the inclusion of the following 'Other Business' Items:

- Item 9.3 Archeological Study, and
- Item 9.4 UBCM Forum.

CARRIED UNANIMOUSLY

3:19 p.m.

Councillor Alan Nixon joined the meeting.

2. MINUTES FOR ADOPTION / MINUTES FOR INFORMATION

2.1 January 28, 2009 Executive Committee

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held January 28, 2009 be adopted as circulated.

CARRIED UNANIMOUSLY

2.2 October 3, 2008 Finance & Administrative Sub-Committee

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held October 3, 2008 be received for information.

CARRIED UNANIMOUSLY

3. DELEGATIONS

No delegations were received.

4. REPORTS

4.1 Summary of Results – Monthly Board Feedback Form

LMTAC Report regarding “Summary of Results – LMTAC Monthly Board Feedback Form, January 2009”, dated February 6, 2009.

Mark Kirsop, Policy Analyst, referenced five feedback forms submitted following the last LMTAC Board meeting. Comments received pertained to the need to clarify election procedures. One respondent requested that LMTAC include the Sechelt Indian Band among Lower Mainland treaty tables..

During an ensuing discussion, members noted that Sechelt had been an observer for many years. Additionally, Sechelt’s statement of intent area did not extend beyond its boundaries, or overlap with any Lower Mainland First Nation. The Band was outside of the LMTAC area, and not actively engaged in the BC Treaty process.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee instruct staff to advise the respondent, that LMTAC was pleased to have the District of Sechelt continue their observer status, as the Sechelt Indian Band did not fall within LMTAC’s area of mandate.

CARRIED UNANIMOUSLY

Another respondent requested that LMTAC staff advise which lands Tsleil-Waututh had identified as potential treaty settlement lands. Mr. Kirsop noted that the respondent had been informed that LMTAC Board members would all be provided the information as soon as it was available.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee receive for information the report titled “Summary of Results – LMTAC Monthly Board Feedback Form, January 2009”, dated February 6, 2009.

CARRIED UNANIMOUSLY

5. STANDING REPORTS

5.1 Negotiation Table Reports

5.1a) Katzie

No items presented.

5.1b) Musqueam

No items presented.

5.1c) Squamish

Councillor Lonsdale, Table Representative to the Squamish Table, reported that the Squamish First Nation had invited the District of Squamish Council to meet with their Council in their Council Chambers (for the first time), earlier in the day. During an ensuing discussion, members acknowledged occasional informal discussions between some local governments and their adjacent First Nations.

5.1d) Tsawwassen

No items presented.

5.1e) Tsleil-Waututh

No items presented.

5.1f) Other

No items presented.

6. OTHER BUSINESS

6.1 Finance and Administrative Sub-Committee (FASC)

6.1a) 2009 Orientation Workshop

Related items "Summary of Responses Feedback Form, LMTAC Orientation Session 2009, January 16, 2009".

Councillor Lonsdale, Chair, Finance and Administrative Sub-Committee, acknowledged the proposed resolution to explore options relative to an LMTAC orientation video.

During an ensuing discussion, it was suggested that alternatives for providing the material be investigated, such as on-line video applications (which were more cost effective and easier to revise). Consideration of on-line video conferencing opportunities was also suggested.

It was MOVED and SECONDED

That the LMTAC Executive Committee receive for information the report titled "Summary of Responses Feedback Form" dated January 16, 2009; and direct staff to explore cost-effective opportunities for creating an LMTAC orientation video package.

CARRIED UNANIMOUSLY

6.1b) Revisions to Operating Procedures re: Election Processes

Councillor Lonsdale, Chair, Finance and Administrative Sub-Committee, noted that in response to questions raised at the inaugural LMTAC Board meeting relative to the election process, FASC had suggested the outgoing Executive Committee function as a Nominating Committee for the subsequent Executive Committee.

During an ensuing discussion it was clarified that the proposed process would not eliminate nominations from the floor at future inaugural Board meetings. It was recognized that with the current process, all Table Representatives could potentially be replaced in one election.

Chair Drew stressed the importance of continuity in treaty negotiations. A member requested clarification regarding the process the LMTAC Executive Committee would follow for determining nominees.

Councillor Lonsdale suggested that the issue of the Nominating Committee be brought back to FASC for reconsideration, to clarify the process and prevent any potential process misperceptions. It was suggested that FASC consider developing a 'Concept Statement' to define appropriate attributes for nominees.

It was MOVED and SECONDED

That the LMTAC Executive Committee endorse:

- i) a new clause to clarify that whenever a treaty table completed Stage 5 Final Agreement negotiations, there was no requirement for the LMTAC Board of elect a table representative; and
- ii) use of a single, secret ballot vote for up to a maximum number of positions, with the stipulation that a nominee's name could not appear twice on a ballot.

CARRIED UNANIMOUSLY

It was MOVED and SECONDED

That the LMTAC Executive Committee refer the following to FASC for further consideration:

“The creation of a Nominating Committee, consisting of the outgoing Executive Committee, be designated to meet in mid-January to prepare a list nominating at least one candidate for each position up for election at the inaugural Board meeting”.

CARRIED UNANIMOUSLY

6.1c) Implementation of the New MOU

Councillor Lonsdale, Chair, Finance and Administrative Sub-Committee, reviewed the proposed recommendation. Chair Drew confirmed the intent to put forward recommendations from local government’s perspective. Members noted that social/economic initiatives were not referenced in the MOU.

A member questioned LMTAC’s ability to analyze trends in the information received regularly from the Ministry of Aboriginal Relations and Reconciliation, particularly relative to social issues. It was questioned whether UBCM was paying attention to *New Relationship* initiatives. Councillor Lonsdale acknowledged the need to work with the Province, to assist the function of the revised MOU.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee request TSWG develop a format of guidelines to assist the province in understanding how and when to consult local governments on land and resource negotiations under the *New Relationship*.

CARRIED UNANIMOUSLY

6.1d) Explore MOU between FCM and the Federal Government

On-table draft correspondence to the President, UBCM, regarding “Support to Develop Proposed MOU between FCM and the Federal Government”.

Councillor Lonsdale, Chair, Finance and Administrative Sub-Committee, reviewed the intent to write to the UBCM to encourage them to explore with the FCM the establishment of an MOU with the federal government. She acknowledged that the UBCM was in a better position to carry the issue forward to the FCM.

Chair Drew noted that the proposal was intended to encourage the UBCM to explore the issue with the FCM. Thanks were extended to Councillor Kositsky for his guidance regarding how to proceed with the issue.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee request the UBCM to approach the FCM and encourage them to explore the establishment of an MOU with the Federal Government to enhance communication with local government on non-treaty initiatives with First Nations (similar in nature to the MOU signed between the Province and UBCM).

CARRIED UNANIMOUSLY

7. CHAIR AND STAFF REPORTS

7.1 Chair’s Report

LMTAC Report regarding “Lower Mainland Treaty Table Representation”, dated February 18, 2009.

Chair Drew informed the meeting that newly elected LMTAC Table Representatives and Executive Committee members were sent information relative to a wide range of subjects.

Regan Schlecker, Manager Director, referred the meeting to the subject report, which explained how to proceed in the event that an LMTAC Table Representative was unable to attend a treaty meeting.

It was MOVED and SECONDED

That the LMTAC Executive Committee receive for information the report regarding "Lower Mainland Treaty Table Representation", dated February 18, 2009.

CARRIED UNANIMOUSLY

7.2 Staff Report

Regan Schlecker, Managing Director, reviewed a list of delegates scheduled to attend upcoming LMTAC Board Meetings. She noted that representatives from the Tsleil-Waututh Nation were scheduled to present on their *Stewardship Policy* at the March 25th, 2009 meeting. A representative from the Integrated Land Management Bureau and representatives from MARR and Ministry of Community Development were scheduled to attend the April Board meeting to discuss the *New Relationship* and the new MOU with local government.

It was noted that the City of Langley had invited the LMTAC Chair and Managing Director to provide a presentation to their Council. As Katzie First Nation was focused on reaching AIP within the year, Chair Drew recognized benefits of providing a briefing to newly elected Council's in Katzie's vicinity.

Ms. Schlecker acknowledged inquiries received regarding the potential for electronic LMTAC Board Meeting agenda packages, noting that further investigation would proceed in this regard with FASC. A member suggested exploring the possibility of a website that was accessible exclusively to members through restricted log-on access.

8. MISCELLANEOUS REPORTS

8.1 Metro Vancouver Intergovernmental Relations Committee

Chair Drew reported that the Metro Vancouver Aboriginal Relations Committee no longer existed, as the Metro Vancouver Chair preferred that: LMTAC handle First Nations relations issues; and, that the Metro Vancouver appointee to LMTAC liaise with the Metro Vancouver Intergovernmental Relations Committee regarding Aboriginal relations issues.

Chair Drew noted his intent to bring LMTAC Board-in-Briefs to future Intergovernmental Relations Committee meetings. He added that he would provide an update regarding the Common Table Approach and the Katzie Treaty table memorandum, to their next meeting on February 26th, 2009.

8.2 Fraser Valley Treaty Advisory Committee (FVTAC)

Councillor Kositsky noted that the FVTAC had experienced numerous changes to their Board, noting that the Mayor from Mission was the new FVTAC Chair. The first meeting of the new FVTAC was forthcoming.

8.3 Union of British Columbia Municipalities (UBCM)

Chair Drew reported that the next meeting of the First Nations Relations Committee was scheduled March 12, 2009. The next meeting of TAC Chairs was scheduled April 16, 2009, and would include discussions regarding local government's role in the *New Relationship*, common treaty table issues, and a round table update. It was further noted that a province-wide Community-to-Community Forum was tentatively scheduled June 9, 2009.

8.4 Federation of Canadian Municipalities (FCM)

Councillor Kositsky confirmed that the next FCM Board meeting was scheduled March 5-7, 2009 in Victoria, BC.

9. OTHER BUSINESS

9.1 Correspondence: Provincial Response Letter to LMTAC Re: Indian River Watershed Access Roads

Correspondence from:

a) *Chief Negotiator, Ministry of Aboriginal Relations regarding "Indian River Watershed Access Roads", dated December 9, 2008; and*

b) Chair, LMTAC, regarding "Indian River Watershed Access Roads", dated November 25, 2008.

Councillor Lonsdale reported that LMTAC was informed that Tsleil-Waututh sought an inventory on existing roads, including the access road to the Indian River area which passed through the District of Squamish's watershed. She reviewed the response from the Ministry of Aboriginal Relations and Reconciliation which recognized that the issue was in the hands of the Ministry of Forests.

During an ensuing discussion, members recognized the criticalness of the issue, noting that the response letter suggested TACs would be receiving a briefing. The importance of cross-Ministry work was acknowledged. Concerns were expressed that affected parties would only be informed of finalized Agreement-in-Principle (AIP) land and cash offers; however, members were also reminded that the letter did state that TAC groups would be consulted by the Provincial government prior to making an AIP offer.

Members suggested that the District of Squamish forward any concerns they may have regarding the issue directly to the Chief Negotiator. Chair Drew confirmed that LMTAC Table Representatives represented local government interests, noting that codes of conduct of all LMTAC officials, were the same as with their respective municipal councils.

9.2 Invite: Te'mexw TAC Treaty Workshop

Electronic correspondence from David Drummond, Te'mexw TAC Representative to Treaty Negotiations, regarding "TAC Presenters Copy", dated February 9, 2009.

Chair Drew noted that the Te'mexw TAC had invited LMTAC to participate in a one-day workshop scheduled in September 2009, and had offered to pay the costs associated with LMTAC participation.

It was MOVED and SECONDED

That the LMTAC Executive Committee endorse LMTAC participation at the Te'mexw TAC Workshop.

CARRIED UNANIMOUSLY

9.3 Archeological Study

On-table item paper titled "Archeology and Local Governments: the perspectives of First Nations and Municipal Councillors in the Fraser Valley, BC", dated February 12, 2009, by Amanda King, M.A., Department of Archaeology, SFU.

Councillor Kositsky referred the meeting to the on-table paper, provided for information.

9.4 UBCM Local Government Leadership Academy

Councillor Kositsky explained that one session at the UBCM event would focus specifically on local government working together. He confirmed that there was still time to register.

10. INFORMATION

It was MOVED and SECONDED

The LMTAC Executive Committee receive for information the following items:

- 10.1 Correspondence;
- 10.2 Honoraria and Expense Form.

CARRIED UNANIMOUSLY

11. NEXT MEETING DATE

Members were informed that the next Regular Meeting of the LMTAC Executive Committee was scheduled February 25, 2009 (if required).

12. **CONCLUSION**

It was MOVED and SECONDED

THAT the Regular Meeting of the LMTAC Executive Committee held February 18, 2009 now conclude.

CARRIED UNANIMOUSLY

(Time: 4:39 p.m.)